



# Inverell Shire Council

## Development Services Bulletin

July 2021

### NSW REFORMS TO DESIGN AND CONSTRUCTION OF CLASS 2 BUILDINGS

From 1 July 2021, the NSW Government has introduced new registration and compliance requirements for the design and construction of Class 2 buildings. These requirements apply to designers, engineers and builders.

For Class 2 buildings, a registered person must now declare that:

- Designs comply with the Building Code of Australia and other relevant standards, in a design compliance declaration (made by a registered Design Practitioner); and
- Building work is constructed in accordance with compliant designs and in compliance with the Building Code of Australia, in a building compliance declaration (made by a registered Building Practitioner). For builders proposing to undertake / oversee building work on Class 2 buildings, they will need to register as a "Building Practitioner" even if they already hold a valid NSW building licence.

Declared designs must be lodged on the NSW Planning Portal and a Construction / Complying Development Certificate must be obtained before works begins.

#### What is a Class 2 Building?

The Building Code of Australia defines a Class 2 building as a building containing two or more sole occupancy units each being a separate dwelling. Types of Class 2 buildings include multi-storey residential apartments (Figure 1) or a shop-top housing complex (Figure 2).

Mixed-use buildings containing a Class 2 part are also included in the new reforms. This means that the registration and compliance requirements apply to work on all parts of the building, not just the Class 2 part. For example, in a building with a shop or office on the ground floor and two or more dwellings on the first floor, any buildings works on the ground floor are also subject to the registration and compliance requirements.

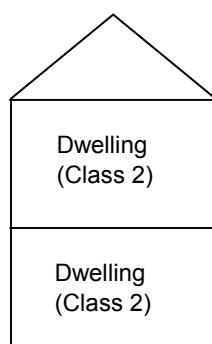


Figure 1—Example of multi-unit Class 2 Building

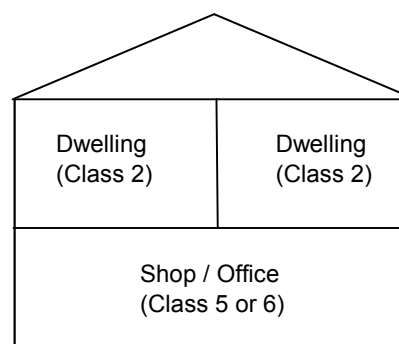


Figure 2—Example of mixed use Class 2 Building

The reforms do not currently apply to Class 1 buildings (e.g. single dwellings or duplexes), Class 3 buildings (e.g. motels, boarding houses, etc.) or Class 4 buildings (single dwelling only above a shop/office). The NSW Government is considering the expansion of the registration and compliance requirements to other classes of buildings in the future.

#### Further Information

Further information regarding the reforms can be found on the NSW Fair Trading website.

If you would like to discuss these reforms with Council, please contact a Council Building Surveyor on 6728 8200.